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ACTION AF-01

INFO	LOG-00	AID-00	AMAD-01	CIAE-00	SMEC-00	OASY-00	DODE-00
	EB-01	FBIE-00	H-01	TEDE-00	INR-00	IO-08	L-01
	ADS-00	NSAE-00	NSCE-00	OIC-02	PA-01	PM-00	PRS-01
	P-01	SP-00	SR-00	SSO-00	SS-00	STR-01	TRSE-00
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RWANDA COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 KIGALI 001582

DEPARTMENT ALSO FOR L

E.O. 12356: OADR
TAGS: PHUM, PINS, MOPS, MARR, UN, RW
SUBJECT: ANALYSIS OF KIBEHO COMMISSION REPORT

REF: A.) KIGALI 1558 B.) KIGALI 1502

1. C -- ENTIRE TEXT. OADR USED BECAUSE OF
SENSITIVITY OF SOURCE.

2. REF A REPORTED THE CONCLUSIONS AND
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RECOMMENDATIONS OF THE INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE EVENTS AT KIBEHO APRIL 1995, HEREAFTER CALLED THE COMMISSION. COMPLETE TEXT OF THE REPORT HAS BEEN SENT TO ADDRESSEES IN DATT CHANNEL; ORIGINALS HAVE BEEN HAND-CARRIED TO THE DEPARTMENT. THIS MESSAGE REPORTS CHARGE'S DEBRIEFING OF MAURICE NYBERG, THE U.S. MEMBER OF THE COMMISSION. NYBERG SUGGESTED THE FOLLOWING INTERPRETATIONS OF PARTS OF THE REPORT.

3. THE COMMISSION'S FINDINGS CONCERNING THE CONTEXT OF THE DECISION TO CLOSE THE CAMPS ARE INTERESTING, NYBERG SAYS, FOR TWO REASONS: ONE, THE GOR NEVER WAVERED IN PUBLIC OR PRIVATE FROM ITS DECISION TO CLOSE THE CAMPS; AND TWO, THE UN/NGO COMMUNITY WAS "PARALYZED" BY ETHICAL DEBATES OVER THE WITHHOLDING OF HUMANITARIAN AID FROM THE CAMPS. DESPITE THE MANY MEETINGS OF THE IOC WHICH TOOK PLACE OVER THREE MONTHS, THE ACTUAL OPERATION TO CLOSE THE CAMPS WAS NEVER PUT TOGETHER ON PAPER. FOR NYBERG, THIS FAILURE DEEPLY IMPRESSED THE COMMISSIONERS. THE EVIDENCE SHOWS THAT EVERYONE AGREED THAT THE IDP CAMPS, CREATED DURING OPERATION TURQUOISE IN THE AFTERMATH OF THE APRIL 1994 GENOCIDE, NEEDED TO BE DEALT WITH, BUT THE INTERNATIONAL COMMUNITY WAS NOT PREPARED TO DO ANYTHING EXCEPT PERPETUATE THEM.

4. ON THE OPERATION ITSELF, NYBERG'S VIEW, WHICH HE SAYS MOST OF THE COMMISSION SHARES, IS COLORED BY THE COMMISSION'S PERCEPTION OF THE UN/NGO

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COMMUNITY'S FAILURE TO PARTICIPATE MORE FULLY IN PLANNING. IT SHOULD HAVE BEEN OBVIOUS TO EVERYONE, NYBERG SAID, THAT THE RPA WAS NOT PROPERLY TRAINED OR EQUIPPED TO CARRY OUT THE OPERATION TO CLOSE KIBEHO CAMP; BUT THE INTERNATIONAL COMMUNITY, WRAPPED UP IN ITS ETHICAL DEBATE, REFUSED TO INVOLVE ITSELF SUFFICIENTLY IN THE EXECUTION OF THE PLAN. NYBERG SAID THAT IT IS AMAZING THAT THE OPERATION, WHICH BEGAN APRIL 18, LASTED AS LONG AS

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IT DID BEFORE EXPLODING. ALTHOUGH THE COMMISSION CONDEMNED THE RPA FOR EXCESSIVE USE OF FORCE, NYBERG SAID THAT IT WOULD HAVE BEEN IMPOSSIBLE TO EXPECT A BETTER PERFORMANCE GIVEN THEIR LIMITATIONS. THIS, NYBERG SAID, IS WHAT THE COMMISSION MEANT WHEN IT GAVE ITS OPINION THAT "THE TRAGEDY OF KIBEHO NEITHER RESULTED FROM A PLANNED ACTION BY RWANDAN AUTHORITIES TO KILL A CERTAIN GROUP OF PEOPLE, NOR WAS IT AN ACCIDENT THAT COULD NOT HAVE BEEN AVOIDED."

5. NYBERG SAID THAT APART FROM THESE TWO GLOSSES, HE WAS SATISFIED THAT THE REMAINDER OF THE REPORT WAS CLEAR.

6. HOW MANY DIED? NYBERG SAID THAT THE COMMISSION
----- DELIBERATELY AVOIDED THIS
QUESTION, BUT THAT AFTER CONSIDERATION HE BELIEVES
THAT ABOUT 1200-1500 WERE KILLED AS A RESULT OF THE
EVENTS OF APRIL 22. THIS IS BASED ON INTERVIEWS
WITH THOSE WHO CLAIM TO HAVE COUNTED BODIES,
COMPARISON OF THEIR METHODOLOGIES, AND NYBERG'S OWN
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FIVE VISITS TO THE SITE. HE GIVES MOST CREDENCE TO
UNAMIR'S PROVOST-MARSHAL MAJOR CUTHBERT-BROWN, THE
ONLY PERSON KNOWN PERSONALLY TO HAVE CONDUCTED A
COUNT OF THE ENTIRE AREA AND ALSO THE FIRST ON THE
SCENE. CUTHBERT-BROWN COUNTED 800 BODIES IN THE
CENTRAL ZONE OF THE CAMP, WHERE THE CONCENTRATION
OF CORPSES WAS HIGHEST, AND EXTAPOLATED FROM THAT
AN ADDITIONAL 400-500 BODIES ALONG THE PERIPHERY.
OTHER COUNTS VARIED WILDLY IN METHODOLOGY AND
COUNTS; AUSMED, FOR INSTANCE, DIVIDED THE CENTRAL
ZONE IN HALF AND SENT TWO TEAMS IN TO COUNT, ONE
FOR EACH HALF; THE COUNT FOR ONE HALF WAS 300
BODIES, FOR THE OTHER 2750. SINCE THE DENSITY OF
CORPSES IN THE CENTRAL ZONE COULD BE EXPECTED TO BE
FAIRLY UNIFORM, THE AUSMED COUNT IS
DIFFICULT TO

UNDERSTAND. NYBERG SAID THAT AUSMED ESTIMATED
ANOTHER THOUSAND OUTSIDE THE CENTRAL ZONE AND

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ARRIVED AT 4050; THAT UNAMIR'S ZAMBATT TOOK
AUSMED'S FIGURES AND DOUBLED THEM.

7. COMMENT: WE ARE IMPRESSED THAT THE REPORT WAS
PRODUCED QUICKLY, WITH NO DISSENTS. WE THINK WE
ARE ON SAFE GROUND IN GIVING NYBERG HIMSELF, ARMED

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WITH THE USG'S STRONG MESSAGE THAT THE REPORT MUST NOT BE INFLUENCED BY POLITICAL CONSIDERATIONS, CREDIT FOR THIS LATTER ACCOMPLISHMENT. NYBERG, BASED ON HIS OWN ACCOUNTS AND ACCOUNTS FROM OTHER MISSIONS WITH MEMBERS OF THE COMMISSION, FOUND HIMSELF A LONELY AND SOMEWHAT UNPOPULAR VOICE IN
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THE EARLY DAYS OF THE COMMISSION AND FREQUENTLY CRITICIZED ITS PROCEDURES. WHEN HE OBSERVED THAT OTHER COMMISSIONERS WERE TRYING TO FREEZE THE RWANDAN DELEGATE OUT OF INFORMATION (REF B), NYBERG INSISTED THAT SHE BE TREATED FAIRLY. NYBERG BELIEVES THAT HIS EARLY INSISTENCE ON TRANSPARENCY IN PROCEDURES, WHILE IRRITATING TO SOME ON THE COMMISSION, PUT HIM IN A POSITION TO INFLUENCE THE FINAL DRAFT OF THE DOCUMENT IN A WAY WHICH WOULD PRECLUDE THE POSSIBILITY OF HIS OWN DISSENT. APART FROM NYBERG AND THE RWANDAN, THE ONLY OTHER OBSTACLE TO CONSENSUS WAS THE BELGIAN, WHO WANTED TO TAKE A HARDER LINE AGAINST THE RPA, AND WHO WAS UNCONVINCED THAT FIREARMS HAD BEEN IN THE HANDS OF IDPS. HE WAS FINALLY CONVINCED THAT THE EVIDENCE TO SUPPORT HIS DISSENT WOULD HAVE BEEN WEAK.
WHALEY

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